

### **Disclosure of Eligibility Information for No Child Left Behind**

#### **Purpose:**

This instruction sets forth the policy to clarify the requirements under the No Child Left Behind Act (NCLB) and the use of free and reduced price meal applications to comply with the requirements.

#### **Scope:**

Sponsors participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP).

#### **Description:**

No Child Left Behind amended the Title I provisions in the Elementary and Secondary Education Act. Title I is a federal education program and therefore, persons directly connected to administering or enforcing Title I and who have a need to know are permitted access to children's eligibility status, since the National School Lunch Act was amended to permit disclosures to State and Federal education programs. Persons directly connected with administering or enforcing these new requirements under Title I are eligible recipients of children's free and reduced-price eligibility status.

School officials are urged, prior to disclosing information on school lunch program eligibility of individual students, to enter into a memorandum of understanding or other agreement to which all involved parties (including both school lunch administrators and educational officials) would adhere. The agreement would specify the names of the individuals who would have access to the information, how the information would be used in implementing Title I requirements, and how the information would be protected from unauthorized uses and third-party disclosures, and would include a statement of the penalties for misuse of the information.

See policy Child Nutrition Programs' Instruction #52, Confidentiality and Title I, for information related to disclosing data to Title I officials.

**SOURCE:** USDA, SCHOOL AND COMMUNITY NUTRITION PROGRAMS, MWRO POLICY #03-05.